

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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Southern District of New York
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January 21, 2020

Via ECF

Honorable Gabriel Gorenstein
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Frederick Scheinin, 20 Mag. 651 (UA)

Dear Judge Gorenstein:

I write to update the Court on the status of the satisfaction of Mr. Scheinin's conditions of release and to respectfully request that the Court permit Mr. Scheinin's release today.

Mr. Scheinin was presented before Magistrate Judge Parker on Friday, January 17, 2020, and the Court ordered his release on the following conditions:

A \$100,000 personal recognizance bond, co-signed by two financially responsible individuals, travel limited to the Southern and Eastern Districts of New York, the surrender of travel documents with no new travel applications, strict pretrial supervision as directed by Pretrial Services, home detention with electronic monitoring, a ban on the possession of firearms, destructive devices or dangerous weapons, a ban on the possession of internet capable devices and internet access unless for employment purposes, computer monitoring of any devices required for employment, a ban on unsupervised contact with minors, access to social media, and possession of child pornography, and a requirement to reside at the home of Mr. Scheinin's parents in Long Island.

Earlier today, the two financially responsible individuals (Mr. Scheinin's parents) were interviewed and approved by the United States Attorney's office. Mr. Scheinin has been produced for release today. I have spoken with an officer in the Location Monitoring Unit of the Pretrial Services office who informs me that the Unit plans to visit Mr. Scheinin's home on Thursday. They have also informed me that they can put the electronic monitoring ankle bracelet on Mr. Scheinin this afternoon.

Hon. Gabriel Gorenstein
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In light of these facts, we respectfully request that the Court permit Mr. Scheinin to sign his bond and be released today. Mr. Scheinin has been incarcerated since Thursday, January 16, 2020. Unfortunately, Pretrial Services was unable to arrange the home visit today, but has spoken with Mr. Scheinin's family and will conduct the visit on Thursday. The defense submits that the signatures of his family members on the \$100,000 bond, combined with the attachment of the ankle bracelet today and the home visit on Thursday, are sufficient to meet the standards for Mr. Scheinin's release. In consequence, we respectfully request that the Court permit Mr. Scheinin to sign his bond and be released this afternoon.

In light of the time of day, I respectfully request that someone in the Clerk's office notify us if Your Honor so-orders this letter so we can reach out to the government and pretrial to arrange Mr. Scheinin's signature and release.

Thank you for your time and attention to this matter.

Denied. The Court has consulted with the pretrial services office and they strongly recommend against granting this application because it will result in a time period where the location monitoring system will not be able to determine the defendant's precise location. They also state that other considerations relating specifically to the charges in this case, the location of the home, and information that pretrial services expect to gain from the home assessment counsel against granting the application. Pretrial services have stated they will make efforts to see if the home assessment can take place tomorrow. In the future, as is true for any application of this kind, it should be submitted in a form that sets forth the positions of the Government and the pretrial services office (if available).

Respectfully submitted,

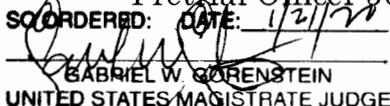


Tamara L. Giwa
Assistant Federal Defender
212-417-8719

SO ORDERED:

HONORABLE GABRIEL GORENSTEIN
United States Magistrate Judge

CC: AUSA Nicholas Chiuchiolo (via email)
Pretrial Officer John Moscato (via email)

SO ORDERED: DATE: 1/21/20

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE